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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,227	04/22/2004	Satoshi Muramatsu	252051US3 CONT	7127
22850 7	22850 7590 08/23/2005		EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET			GLEITZ, RYAN M	
	ALEXANDRIA, VA 22314		ART UNIT	PAPER NUMBER
			2852	
		DATE MAILED: 08/23/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

5	4

	Application No.	Applicant(s)				
Office Action Commany	10/829,227	MURAMATSU ET AL.				
Office Action Summary	Examiner	Art Unit				
	Ryan Gleitz	2852				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1) Responsive to communication(s) filed on 23 Ju	1) Responsive to communication(s) filed on 23 June 2005 and 31 May 2005.					
2a) ☐ This action is FINAL . 2b) ☑ This	This action is FINAL . 2b)⊠ This action is non-final.					
• • •	☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4) Claim(s) 9-13,15-22 and 24-32 is/are pending	4) Claim(s) 9-13,15-22 and 24-32 is/are pending in the application.					
4a) Of the above claim(s) is/are withdraw						
5) Claim(s) <u>13,15,16,22,24-26,31 and 32</u> is/are a						
,	S) Claim(s) <u>9-12,17,18,21 and 27-30</u> is/are rejected.					
, - , ,	Claim(s) 19 and 20 is/are objected to.					
8) Claim(s) are subject to restriction and/o	r election requirement.					
Application Papers						
9) The specification is objected to by the Examine						
10)⊠ The drawing(s) filed on 22 March 2004 is/are:						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
11) The path of declaration is objected to by the Ex	amilier. Note the attached Office	7,000,7 07 10,111 1 0 102.				
Priority under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)⊠ All b)□ Some * c)□ None of:						
1.☐ Certified copies of the priority document	s have been received.					
2. Certified copies of the priority documents have been received in Application No. 10/281250.						
3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
Attachment(c)						
Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail D					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3/23/05 & 5/25/05.	5) Notice of Informal F 6) Other: <u>IDS: 7/13/05</u>	- асел Аррію апол (СТО-192) ;				

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9-12, 17, 18, 21, and 27-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Saito (US 5,150,162).

Saito et al. disclose in figures 9 and 10A-C a developer container storing powder developer. The bottom of hopper (81) as shown by figure 9 reads on a mouth member. The developer outlet from which the developer is discharged is the part that tube (82) fits inside.

Sleeve (84) is a shutter member for closing the developer outlet when the shutter member (84) is fitted to the developer outlet, the shutter member (84) being provided on the outside of the mouth member. The developing outlet is formed at an angle, that is 90 degrees, to the direction of gravity. The vertical opening of hopper (81) shown in figure 9 is a developer inlet to the mouth member. The developer inlet is formed in the direction of gravity.

Regarding claim 10, a passage faces the developer stored in the container.

Regarding claim 11, shutter member (84) has a shaft like configuration movable in the direction of the axis of the developer outlet.

Regarding claim 12, the shutter member (84) is biased by a biasing member (87) from an inside toward an outside.

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Regarding claims 17 and 28, the developer container is used inside an image forming apparatus having an image carrier (24) and a developing device (26).

Regarding claim 21, backing (85) is a seal with a diameter less than an outside diameter of the shutter member (84).

Regarding claims 29 and 30, the vertical opening of hopper (81) shown in figure 9 is a developer inlet to mouth member (82). The developer inlet is formed in a direction that is substantially perpendicular to the direction of the developer outlet.

Allowable Subject Matter

Claims 13, 15, 16, 22, 24-26, 31, and 32 are allowed.

Claims 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 31 May 2005 have been fully considered but they are not persuasive.

Applicant submits that the tube (82) in Saito et al. is not a mouth member having an inlet in the direction of gravity and a outlet at an angle to the direction of gravity.

However, as discussed above, the bottom portion of the hopper (81) in Saito et al. reads on a mouth member having an inlet in the direction of gravity and a outlet at angle to the direction of gravity.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Gleitz whose telephone number is (571) 272-2134. The examiner can normally be reached on Monday-Friday between 9:00AM and 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

R rg

Arthur T. Grimley
Supervisory Patent Examiner
Technology Center 2800